IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT
THE HON'BLE MS JUSTICE G.ROHINI
WRIT PETITION NO : 3464 of 2005

Between:
S. Venkateswarlu S/o Chinna Venkataiah
Kadapa Municipality R/o 16/1127 Masalpet, Municipal Colony, Kadapa

..... PETITIONER

AND
1 The Commissioner, Kadapa Municipality, Kadapa.
2 The Principal Secretary, Municipal Administration & Urban Development, Andhra Pradesh, Hyderabad
3 The District Collector, Kadapa, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of a Writ of mandamus declaring the action of the 1st respondent in demolishing the petitioner plot Nos. 37 & 38 of Ukkayapally Village, Kadapa Municipality, in Survey No. 615, as is illegal, arbitrary, and without following due procedure of law and violation of the principles of natural justice and consequently direct the 1st respondent not to demolish house and evict the petitioner from the house in plot nos. 37 & 38 of UKkayapally Village, Kadapa Municipality.

Counsel for the Petitioner:MR.J.RAMACHANDRA RAO

Counsel for the Respondent No.1 : Mr.S.I.Newton

Counsel for the Respondent Nos.2 and 3: GP FOR MUNCIPAL ADMN. & URBAN DEV.

The Court at the stage of admission made the following :

ORDER:

This writ petition is filed aggrieved by the alleged action of the first respondent-Commissioner, Kadapa Municipality, in seeking to demolish the petitioner's house bearing Door No.16/1127, constructed in plot Nos.37 and 38 of Ukkayapally village, Kadapa Municipality in S.No.615.

Having heard learned counsel for the petitioner and the learned Standing Counsel appearing for respondents, the writ petition is disposed of with a direction to the respondents not to interfere with the possession of the petitioner in respect of house in question without following due process of law. No costs.

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24.02.2005

Note : Issue operative portion by wire

(B/O)

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To

1 The Commissioner, Kadapa Municipality, Kadapa.

2 The Principal Secretary, Municipal Administration & Urban

Development, Andhra Pradesh, Hyderabad

3 The District Collector, Kadapa, Kadapa District.

4 Two C.Cs to the G.P. for Municipal Administration, High Court Buildings, Hyderabad (OUT).

5 2 CD copies.